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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,891	03/30/2004	Satoshi Kitamura	SIC-04-007	2890
29863	7590	06/30/2006	EXAMINER	
DELAND LAW OFFICE P.O. BOX 69 KLAMATH RIVER, CA 96050-0069			LUM VANNUCCI, LEE SIN YEE	
			ART UNIT	PAPER NUMBER
			3611	

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/708,891	<b>Applicant(s)</b> KITAMURA, SATOSHI	
	<b>Examiner</b> Lee Lum	<b>Art Unit</b> 3611	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) all is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

1. An Amendment was filed 5/12/06.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1, 2 and 4-20** are rejected under 35 U.S.C. 102(e) as being anticipated  
Mackinnon, GB 2161040 A.

Mackinnon discloses a bicycle power supply apparatus, as disclosed at least in fig 3,  
and p2, ln 12-59, comprising

Battery 12

which is charged from alternator 11, or second battery/capacitors C-sub-1,2, and,  
has second terminal connected to ground (fig 3),

Bicycle-condition detector B, including voltage sensor, switch, and resistance (p2, ln 25-27), detecting a selected condition that ordinarily does not require current from the battery (p1, ln 125-127),

including a condition in which the bicycle is stopped (p1, ln 127),

Voltage decreasing unit/current-drawing unit C that decreases voltage/draws current from the battery when the condition detector detects the selected condition (p1, ln 125-127), including

Display/(electrical auxiliaries) lights (p1, ln 10-11), and,

Resistors R-sub-5 to sub-8 connected to the first and second battery terminals  
(fig 3),

Wherein

the voltage decreasing unit controls motor driver 11, and,

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input switch RL1 (p2, ln 19-27) coupled to the first battery terminal, and is opened by the current-drawing unit when the condition detector detects the selected condition.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mackinnon in view of Hideki, Jap. Abstract 09-271102.

Mackinnon discloses the elements as provided above, but does not disclose the stopped condition as existing for a predetermined time period. Hideki shows this arrangement in a similar circuit, in section 57; "when the vehicle stopping time for 30 minutes or more is detected".

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include this configuration, as shown in Hideki, to further provide voltage protection when the stopped condition is for a certain time period, thus also protecting the electrical auxiliaries while in this situation.

#### 4. RESPONSE TO REMARKS

Examiner reiterates her rejections for all Claims. Applicant's remarks have been considered, but are nonpersuasive, specifically re Claim 1. Here, MacKinnon clearly obviates the limitations because it clearly discloses "decreasing battery voltage when the condition-detecting unit detects the selected condition", and in addition to "supply of voltage from the battery when the vehicle is at a suitable speed", as noted by Applicant. The Claim does not exclude additional functions.

Additionally, the last limitation in the Claim does not require that the "battery voltage will [have decreased by a certain time]", as asserted in the last paragraph on p6. This limitation does not include language referring to a time period/constraint with the "decrease in battery voltage".

Therefore, the rejections are proper, and are maintained.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

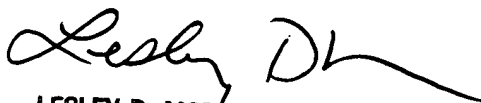
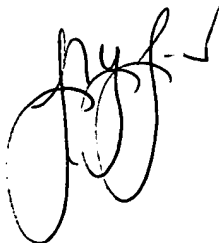
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Communication with the Examiner/USPTO

Any inquiry concerning this communication, or others, should be directed to Ms. Lum at 571 272-6649, M-F, 9-5. If she cannot be reached, her supervisor, Ms. Lesley Morris, may be reached at 571 272-6651. Our central fax number is 571 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) System. For unpublished applications - private PAIR only. For published applications - private or public PAIR. For more information re PAIR - <http://pair-direct.uspto.gov>. Questions re private PAIR - contact the Electronic Business Center (EBC) at 866 217-9197.

Ms. Lee S. Lum-Vannucci  
Examiner  
6/21/06



LESLEY D. MORRIS  
SUPERVISORY PATENT EXAMINER  
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